

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

QUICKEN LOANS INC.,

Defendant.

)
)
) Civil Action No.
) 2:16-cv-14050 (MAG) (RSW)

)
) District Judge:
) Hon. Mark A. Goldsmith

)
) Magistrate Judge:
) Hon. R. Steven Whalen
)
)

**QUICKEN LOANS INC.'S UNOPPOSED MOTION
AND BRIEF FOR FILING DECLARATION UNDER SEAL**

Pursuant to Local Rule 5.3(b), Quicken Loans Inc. (“Quicken Loans”) files this Motion to Seal (“Motion”) requesting leave from the Court to file confidentially under seal the Declaration of Tiffany Meller in Support of Quicken Loans’ Opposition to the United States’ Motion to Compel (“Declaration”). In support of this Motion, Quicken Loans states as follows:

1. On May 4, 2016, the United States District Court for the District of Columbia entered a Stipulated Protective and FRE 502(b) Order for the Treatment of Confidential and Privileged Information (D.C. ECF No. 36) (“Protective Order”).

2. Paragraph 12 of the Protective Order requires that if either party files with the Court a “pleading, motion, deposition transcript, or other document” that contains “Confidential Material,” it “must be placed under seal.”

3. Paragraph 3 of the Stipulated Protective Order provides that “[a]ny summary, extract, . . . exhibits, or copy containing Confidential Material, or any electronic image or database containing Confidential Material, will be subject to the terms of the Protective Order.”

4. On May 9, 2017, the United States filed an *Ex Parte* Motion to Allow Filing Under Seal and Brief (ECF No. 34), seeking the Court’s permission to file Exhibits E & F to its Motion and Brief to Compel Discovery (ECF No. 32) under seal.

5. The United States has moved to compel production of the tables and fields listed in Exhibits E & F. Exhibits E & F to the United States’ Motion contain excerpts of database extracts produced to the United States by Quicken Loans. Quicken Loans designated those extracts as “Confidential Material” under Paragraph 1 of the Protective Order because they contain proprietary and sensitive financial and commercial information stored in two Quicken Loans’ systems—AMP and BIG—which, if revealed publicly, could harm its business interests and put it at a competitive disadvantage.

6. The Declaration supports Quicken Loans' Opposition to the United States' motion to compel discovery as to these tables and fields. Unless the Declaration is filed under seal, Quicken Loans' interest in maintaining the confidentiality of its proprietary information will not be protected, in contravention of the Stipulated Protective Order entered by Judge Walton. Moreover, absent sealing, Quicken Loans will be unable to fully oppose the United States' motion to compel the above-referenced information, and will not be able to explain to the Court its stated position that the requested discovery should not be ordered to be produced.

7. To facilitate public access to Court documents, Quicken Loans has limited its request to filed under seal to the Declaration, and is not seeking to file its brief or any exhibits under seal.

8. Quicken Loans has conferred with the United States regarding this Motion and the United States indicated that it does not oppose the relief sought herein.

WHEREFORE, Quicken Loans requests that the Court enter an order authorizing Quicken Loans to file under seal the Declaration of Tiffany Meller in Support of Quicken Loans' Opposition to the United States' Motion to Compel.

Dated: May 10, 2017

Thomas M. Hefferon
Sabrina M. Rose-Smith
W. Kyle Tayman
GOODWIN PROCTER LLP
901 New York Ave., NW
Washington, DC 20001
Tel.: 202.346.4000
Fax: 202.346.4444
thefferon@goodwinlaw.com
srose-smith@goodwinlaw.com
ktayman@goodwinlaw.com

Respectfully submitted,

QUICKEN LOANS, by its attorneys,
/s/ Jeffrey B. Morganroth
Jeffrey B. Morganroth
MORGANROTH &
MORGANROTH, PLLC
344 North Old Woodward Ave., Suite 200
Birmingham, MI 48009
Tel.: 248.864.4000
Fax: 248.864.4001
jmorganroth@morganrothlaw.com
P41670

LOCAL RULE CERTIFICATION

I, Jeffrey B. Morganroth, certify that Quicken Loans Inc.'s Unopposed Motion and Brief to File Declaration Under Seal complies with Local Rule 5.1(a), including: double-spaced (except for quoted materials and footnotes); at least one-inch margins on the top, sides, and bottom; consecutive page numbering; and type size of all text and footnotes that is no smaller than 10-1/2 characters per inch (for non-proportional fonts) or 14 point (for proportional fonts).

/s/ Jeffrey B. Morganroth

Jeffrey B. Morganroth

CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2017, a copy of the foregoing was served by electronic means via the Court's CM/ECF System on all counsel registered to receive electronic notices.

/s/ Jeffrey B. Morganroth